

Public Law 99-10
99th Congress**An Act**

Making urgent supplemental appropriations for the fiscal year ending September 30, 1985, for emergency famine relief and recovery in Africa, and for other purposes.

Apr. 4, 1985
[H.R. 1239]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, to supply urgent supplemental appropriations for the fiscal year ending September 30, 1985, and for other purposes, namely:

TITLE I**CHAPTER I****AFRICAN FAMINE RELIEF****PUBLIC LAW 480**

For an additional amount for "Public Law 480", for agricultural commodities supplied in connection with dispositions abroad, pursuant to title II of the Agricultural Trade Development and Assistance Act of 1954, as amended, \$400,000,000 of which \$384,000,000 is hereby appropriated to be available through December 31, 1985, and \$16,000,000 shall be derived from unobligated balances in the Commodity Credit Corporation: *Provided*, That not to exceed \$100,000,000 of the above appropriated funds shall be available for inland transportation upon certification for each country by the Administrator of the Agency for International Development that without such funds the delivery of the emergency food would not be possible or would not take place in time to prevent starvation or unacceptable levels of loss or spoilage.

7 USC 1691 note.

7 USC 1721.

CHAPTER II**FUNDS APPROPRIATED TO THE PRESIDENT****AGENCY FOR INTERNATIONAL DEVELOPMENT****INTERNATIONAL DISASTER ASSISTANCE**

For an additional amount for "International disaster assistance", \$137,500,000 for emergency relief and recovery assistance for Africa, to be available only for such purpose and to remain available until March 31, 1986: *Provided*, That the Committee on Appropriations of each House of Congress is notified five days in advance of the obligation of any funds made available under this paragraph, unless the emergency is life threatening and immediate action is necessary.

OPERATING EXPENSES

Of the amount appropriated in this Act for "International disaster assistance", \$2,500,000 shall be transferred to "Operating expenses of the Agency for International Development", to be used for monitoring food and disaster assistance in Africa.

DEPARTMENT OF STATE

UNITED STATES EMERGENCY REFUGEE AND MIGRATION ASSISTANCE
FUND

For necessary expenses to carry out the provisions of section 2(c) of the Migration and Refugee Assistance Act of 1962, as amended (22 U.S.C. 2601(c)), \$25,000,000.

MIGRATION AND REFUGEE ASSISTANCE

For an additional amount for "Migration and refugee assistance", notwithstanding any other provision of law, \$12,500,000 for emergency assistance in Africa, to be available only for such purpose and to remain available until March 31, 1986.

TITLE II

FUNDS APPROPRIATED TO THE PRESIDENT

EMERGENCY RESERVE FOR AFRICAN FAMINE RELIEF

In addition to funds and authority provided for in chapter I of title I of this Act, \$225,000,000 to remain available until September 30, 1986, is provided as an Emergency Reserve for African Famine Relief for title II of Public Law 480, including inland transportation, to be used if funds and authority provided in chapter I of title I are exhausted and the Administrator of the Agency for International Development prepares and submits to the Congress a plan to utilize such additional funds for African famine relief. Before such funds may be obligated or expended, the President shall certify that the use of such funds is essential to famine relief in Africa.

7 USC 1721.

TITLE III

GENERAL PROVISIONS

Funds and authority made available in this Act which have not previously been authorized shall not be obligated until authorized: *Provided*, That none of the funds in this Act may be used to reimburse the Commodity Credit Corporation for the cost of wheat released from the Food Security Wheat Reserve: *Provided further*, That before funds provided in this Act may be obligated or expended, the Administrator for International Development shall certify that a plan has been established, on a country by country basis, that will ensure effective use of the funds and that the food provided by this Act will be delivered in a timely and efficient manner and be distributed to those most in need.

The Administrator of the agency primarily responsible for administering part I of the Foreign Assistance Act of 1961 shall have the

22 USC 2151.

responsibility for determining the emergency food and disaster assistance needs for which funds are appropriated by this Act.

DISPOSITION OF ADDITIONAL AGRICULTURAL COMMODITIES UNDER
SECTION 416 OF THE AGRICULTURAL ACT OF 1949

98 Stat. 137.
7 USC 1431.

To prevent the waste of commodities acquired by the Commodity Credit Corporation through price support operations, the Secretary of Agriculture shall make available, through Private Voluntary Organizations for donation to African nations requiring emergency food assistance, for calendar year 1985, not more than two hundred thousand metric tons of agricultural commodities: *Provided*, That 50 per centum of the commodities made available under this sentence shall be in the form of wheat or wheat products: *Provided further*, That none of the commodities made available for donation under this sentence shall be made available until the Secretary of Agriculture has certified to the appropriate committees of the Congress that the commodities shall not be distributed through or otherwise be allowed to come under the possession or control of the Government of Ethiopia. The Corporation shall pay, with respect to the commodities donated under the foregoing sentence, transporting, handling, and other charges, including the cost of overseas delivery. Such donations shall be in addition to the level of assistance programmed under any other authority.

Approved April 4, 1985.

LEGISLATIVE HISTORY—H.R. 1239:

HOUSE REPORTS: No. 99-2 and Pt. 2 (Comm. on Appropriations) and No. 99-29 (Comm. of Conference).

SENATE REPORT No. 99-8 (Comm. on Appropriations).

CONGRESSIONAL RECORD, Vol. 131 (1985):

Feb. 28, considered and passed House.

Mar. 20, considered and passed Senate, amended.

Apr. 2, House agreed to conference report; receded and concurred in Senate amendment, in others with amendments. Senate agreed to conference report; concurred in House amendments.

WEEKLY COMPILATION OF PRESIDENTIAL DOCUMENTS, Vol. 21, No. 14 (1985):

Apr. 5, Presidential statement.